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TRANSMITTAL FORM (to be used for all correspondence after initial filing)		Application Number	10/800,162
		Filing Date	March 12, 2004
		First Named Inventor	Donald J. EATON
		Art Unit	3732
		Examiner Name	Not Yet Assigned
Total Number of Pages in This Submission	8	Attorney Docket Number	577242000100

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form + duplicate copy for fee processing - 2 pages <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request - 1 page <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Response to Missing Parts/Incomplete Application <input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Copy of Notice to File Missing Parts, Part 2 - 2 pages Declaration for Utility Patent Application - 2 pages Fax cover sheet
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	MORRISON & FOERSTER LLP (Customer No. 25226) Lisa A. Amil - 48,199
Signature	
Date	October 1, 2004

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office, facsimile no. (703) 746-4060, on the date shown below.	
Dated: October 1, 2004	Signature: (Patricia M. Ellison)



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Amii</td> <td colspan="2" style="text-align: center;">48,199</td> <td colspan="2" style="text-align: center;">Telephone (650) 813-5674</td> </tr> <tr> <td colspan="2" style="text-align: center;">Signature</td> <td colspan="2" style="text-align: center;">Date</td> <td colspan="2" style="text-align: center;">October 1, 2004</td> </tr> <tr> <td colspan="2" style="text-align: center;"> </td> <td colspan="2" style="text-align: center;"> </td> <td colspan="2"></td> </tr> </tbody> </table>			Large Entity		Small Entity		Fee Description	Fee Paid	Fee Code	Fee (\$)	Fee Code	Fee (\$)	1051	130	2051	65	Surcharge - late filing fee or oath	65.00	1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet		1053	130	1053	130	Non-English specification		1812	2,520	1812	2,520	For filing a request for ex parte reexamination		1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action		1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action		1251	110	2251	55	Extension for reply within first month		1252	430	2252	215	Extension for reply within second month	215.00	1253	980	2253	490	Extension for reply within third month		1254	1,530	2254	785	Extension for reply within fourth month		1255	2,080	2255	1,040	Extension for reply within fifth month		1401	330	2401	165	Notice of Appeal		1402	330	2402	165	Filing a brief in support of an appeal		1403	290	2403	145	Request for oral hearing		1451	1,510	1451	1,510	Petition to institute a public use proceeding		1452	110	2452	55	Petition to revive - unavoidable		1453	1,370	2453	685	Petition to revive - unintentional		1501	1,370	2501	685	Utility issue fee (or reissue)		1802	490	2502	245	Design issue fee		1503	650	2503	330	Plant issue fee		1480	130	1460	130	Petitions to the Commissioner		1807	50	1807	50	Processing fee under 37 CFR 1.17(a)		1806	180	1806	180	Submission of Information Disclosure Stmt		8021	40	8021	40	Recording each patent assignment per property (times number of properties)		1809	790	2809	395	Filing a submission after final rejection (37 CFR 1.129(a))		1810	790	2810	395	For each additional invention to be examined (37 CFR 1.129(b))		1801	780	2801	395	Request for Continued Examination (RCE)		1802	900	1802	900	Request for expedited examination of a design application		Other fee (specify) _____						*Reduced by Basic Filing Fee Paid				SUBTOTAL (3) (\$)						280.00		1. 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1252	430	2252	215	Extension for reply within second month	215.00																																																																																																																																																																																																																																																																																																																																																																																																		
1253	980	2253	490	Extension for reply within third month																																																																																																																																																																																																																																																																																																																																																																																																			
1254	1,530	2254	785	Extension for reply within fourth month																																																																																																																																																																																																																																																																																																																																																																																																			
1255	2,080	2255	1,040	Extension for reply within fifth month																																																																																																																																																																																																																																																																																																																																																																																																			
1401	330	2401	165	Notice of Appeal																																																																																																																																																																																																																																																																																																																																																																																																			
1402	330	2402	165	Filing a brief in support of an appeal																																																																																																																																																																																																																																																																																																																																																																																																			
1403	290	2403	145	Request for oral hearing																																																																																																																																																																																																																																																																																																																																																																																																			
1451	1,510	1451	1,510	Petition to institute a public use proceeding																																																																																																																																																																																																																																																																																																																																																																																																			
1452	110	2452	55	Petition to revive - unavoidable																																																																																																																																																																																																																																																																																																																																																																																																			
1453	1,370	2453	685	Petition to revive - unintentional																																																																																																																																																																																																																																																																																																																																																																																																			
1501	1,370	2501	685	Utility issue fee (or reissue)																																																																																																																																																																																																																																																																																																																																																																																																			
1802	490	2502	245	Design issue fee																																																																																																																																																																																																																																																																																																																																																																																																			
1503	650	2503	330	Plant issue fee																																																																																																																																																																																																																																																																																																																																																																																																			
1480	130	1460	130	Petitions to the Commissioner																																																																																																																																																																																																																																																																																																																																																																																																			
1807	50	1807	50	Processing fee under 37 CFR 1.17(a)																																																																																																																																																																																																																																																																																																																																																																																																			
1806	180	1806	180	Submission of Information Disclosure Stmt																																																																																																																																																																																																																																																																																																																																																																																																			
8021	40	8021	40	Recording each patent assignment per property (times number of properties)																																																																																																																																																																																																																																																																																																																																																																																																			
1809	790	2809	395	Filing a submission after final rejection (37 CFR 1.129(a))																																																																																																																																																																																																																																																																																																																																																																																																			
1810	790	2810	395	For each additional invention to be examined (37 CFR 1.129(b))																																																																																																																																																																																																																																																																																																																																																																																																			
1801	780	2801	395	Request for Continued Examination (RCE)																																																																																																																																																																																																																																																																																																																																																																																																			
1802	900	1802	900	Request for expedited examination of a design application																																																																																																																																																																																																																																																																																																																																																																																																			
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Lisa A. Amii		48,199		Telephone (650) 813-5674																																																																																																																																																																																																																																																																																																																																																																																																			
Signature		Date		October 1, 2004																																																																																																																																																																																																																																																																																																																																																																																																			

**MORRISON & FOERSTER LLP**

Attorneys at Law
755 Page Mill Road
Palo Alto, California 94304-1018
Telephone: (650) 813-5600
Facsimile: (650) 494-0792

To:

NAME:	FACSIMILE:	TELEPHONE:
Mail Stop Missing Parts U.S. Patent and Trademark Office	(703) 746-4060	(703) 308-1202

FROM: Lisa A. Amii**DATE:** October 1, 2004

Number of pages with cover page:	9
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Preparer of this slip has confirmed that facsimile number given is correct: 7230/PME2**CAUTION - CONFIDENTIAL**

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Comments:**Official Filing**

Re: U.S. Patent Application No. 10/800,162
Examiner: Not Yet Assigned
Art Unit: 3732
Title: SINUS DELIVERY OF SUSTAINED RELEASE THERAPEUTICS
Filing Date: March 12, 2004
Inventors: Donald J. EATON et al.
Attorney Docket No. 577242000100

Papers enclosed herewith:

1. Transmittal - 1 page
2. Fee Transmittal + duplicate copy for fee processing - 2 pages
3. Copy of Notice to File Missing Parts, Part 2 - 2 pages
4. Declaration for Utility Patent Application - 2 pages
5. Two month Petition for Extension of Time - 1 page

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United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/800,162	03/12/2004	Donald Eaton	241002000100

25226
MORRISON & FOERSTER LLP
755 PAGE MILL RD
PALO ALTO, CA 94304-1018

CONFIRMATION NO. 9079

FORMALITIES LETTER

OC000000012828009

Date Mailed: 06/01/2004



NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

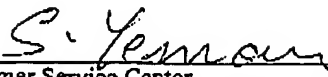
SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$65 for a Small Entity

- \$65 Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*



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Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE